

OUR OPINION

EXHIBIT NO. 3
DATE 2-17-11
BILL NO. SB202

Lawmakers should nix new brewery taproom bill

Loosening laws that govern how and when brewery taprooms may serve beer will just create a new category of unlicensed bars, and lawmakers should give the proposal a thumbs down.

Under current law, brewery taprooms — rooms where Montana micro-breweries can serve visitors — can be open from 10 a.m. to 8 p.m., and customers are limited to the purchase of three pints of beer. Under a bill introduced by state Sen. Ryan Zinke, R-Whitefish, the taprooms could be open from noon to 10 p.m.

The shift to later hours is just a step toward converting the taprooms — which were intended to provide brewery visitors a chance to taste the product — into bars. Only the taprooms would not be required to purchase cabaret or liquor licenses. Those licenses can be six-figure investments for bar and restaurant owners. They have become so valuable that they often serve as collateral for bank financing.

Bar owners are protesting the change, and they are right to. This is just handing the brewery owners an opportunity to sidestep state liquor laws and get into the bar and restaurant business.

Granted, the taprooms would still face restrictions: the limit of three pints of beer to a customer. But that would satisfy the appetites of most beer drinkers. And extending the hours until 10 p.m. would essentially transform a beer-tasting venture into a right on the town for many.

The brewers need to make a decision: Either they are operating breweries that sell product wholesale to drinking establishments and distributors, or they are operating the bars themselves. If they opt for the latter, they need to go shopping for a license. They can't have it both ways.

The existing taproom law was passed on assurances from the brewers that they weren't interested in cutting into the bar and restaurant business. Now that they are pushing for extended hours, those assurances ring hollow.

Lawmakers should reject this shift in allowable business hours for the taprooms and leave the current regulations in place.